

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO :28387 of 1997

Dated 24th January, 2007

Between

Kandula Manikya rao

...Petitioner

and

The Eepurupalem Gram panchayat, rep. By its Sarpanch,
Eepurupalem Post, Chirala Mandal, Prakasam district, and,
anr.

...Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY
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WRIT PETITION NO : 28387 of 1997

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ORDER:

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This Writ Petition has been filed seeking Writ of Mandamus to declare the action of the respondents in trying to dispossess the petitioner from the land admeasuring Ac.0.26 cents out of Ac.2.90 cents covered by Sy.No. 261 of Eepurupalem village, Chirala Mandal, Prakasam District as illegal and arbitrary.

In the affidavit filed in support of the Writ Petition, it is stated that the petitioner is in occupation of the land admeasuring Ac.0.26 cents in Sy.No. 261 of Eepurupalem village for the last 20 years and the said land belongs to government. It is further stated that the petitioner also

made an application for grant of D-Form patta and the same is pending consideration. It is the grievance of the petitioner that the respondent-grampanchayat, though not having any authority over the land in question, is taking steps to evict him.

Though there is appearance on behalf of the respondent-gram panchayat, but no counter affidavit is filed.

Except the said allegation, there is no other material to show that any steps are being taken by the respondents for eviction of the petitioner from the land in question. In that view of the matter, I dispose of the Writ Petition directing the respondents not to evict the petitioner from the land in question otherwise than by due process of law. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATE: 24-01-2007.
Msnr.